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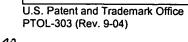
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/889,023	01/10/2002	Toshihiro Morita	450101-02844	4611	
7590 04/26/2005			EXAMINER		
William S Frommer			CHEN, TE Y		
Frommer Lawre	ence & Haug				
745 Fifth Avenue			ART UNIT	PAPER NUMBER	
New York, NY 10151			2161		
			DATE MAILED: 04/26/2005	DATE MAILED: 04/26/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action

Application No.	Applicant(s)		
09/889,023	MORITA ET AL.		
Examiner	Art Unit		
Susan Y Chen	2161		

Advisory Addion	03/003,023	WORTH ET AL.					
Before the Filing of an Appeal Brief	Examiner	Art Unit					
	Susan Y Chen	2161					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
THE REPLY FILED 23 March 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.							
<ol> <li>The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:</li> <li>a) The period for reply expires 3 months from the mailing date of the final rejection.</li> </ol>							
no event, however, will the statutory period for reply expire I	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. I no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.						
Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	(b). ONLY CHECK BOX (b) WHEN THE '06.07(f).	E FIRST REPLY WAS F	ILED MITHIN				
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The appropri inally set in the final Offi	iate extension fee ce action; or (2) as				
2. The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).							
AMENDMENTS							
3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because  (a) They raise new issues that would require further consideration and/or search (see NOTE below);							
(b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or							
(d) They present additional claims without canceling a corresponding number of finally rejected claims.							
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.116 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).							
5. Applicant's reply has overcome the following rejection(s):							
<ul> <li>6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> </ul>							
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:							
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 41-66.							
Claim(s) withdrawn from consideration:							
AFFIDAVIT OR OTHER EVIDENCE							
<ol> <li>The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).</li> </ol>							
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).							
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER							
11. The request for reconsideration has been considered by	ut does NOT place the application in	n condition for allowar	nce because:				
12. Note the attached Information Disclosure Statement(s).  13. Other:	(PTO/SB/08 or PTO-1449) Paper N	lo(s)					



Continuation of 3. NOTE: The newly amended claims (e.g., claims 41, 48, 53, etc.) change the scope of invention that raises new issues and would require further consideration and/or search.

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